

Appl. No. 09/414,762
Amdt. Dated 08/13/2004
Reply to Office Action of May 17, 2004

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed May 17, 2004. In the Office Action, claims 21-27, 33-35, 39-41, and 48-52 were rejected under 35 U.S.C. § 103. Herein, claims 48-52 have been cancelled without prejudice and claims 21-25, 33-35 and 39-41 have been amended. Claims 53-58 have been added. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Rejection Under 35 U.S.C. § 103

Claims 21-27, 33-35, 39-41, and 48-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rainis, et al. (US Patent No. 6,310,873). Applicants respectfully traverse the rejection because a prima facie case of obviousness has not been established.

As the Examiner is aware, when evaluating a claim for determining obviousness, all limitations of the claim must be evaluated. *See In re Fine*, 873 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). According to the teachings of Rainis, the *directory services (14)* include a conversation database (72) that contains records describing each ongoing or potential conversation. Emphasis added. The directory services (14) is responsible for identifying telephony servers that might be willing to handle the call. *See Paragraph 3 of the Office Action*. Thus, Rainis teaches storage of records including information for billing purposes, but does not suggest, and in fact teaches away from the storage of information associated with the endpoints *within the first and second telephony servers*. Emphasis added. The storage of the "logical" line number and the MAC addresses of the endpoint is not described or suggested by Rainis, and would not be suggested because such information is not necessary for billing purposes, which is the sole reason of the conversation database (72). *See Col. 9, lines 4-11 of Rainis*.

More specifically, with respect to claim 21, Rainis neither suggests registration of a first line of the endpoint with a first telephony server, nor suggests registration of a second line of the endpoint with a second telephony server, which differs from the first telephony server. The first telephony server registers the endpoint *by storing a list identifying endpoints, including the endpoint, in communication with the first telephony server and the second telephony server storing a list identifying endpoints, including the endpoint, in communication with the second telephony server*. Emphasis added. In addition, at least one of the *first and second telephony servers* includes information accessible by both the first and second telephony servers and associated with the endpoint, the information including a telephone number, a local line number, the IP address and the MAC address of the endpoint. The e-mail address of the endpoint and other information is set forth in new dependent claims 54.

With respect to claim 25, Rainis does not describe or even suggest a terminal gateway to establish a first communication path between a first logical line of a first endpoint and a second endpoint via a first telephony server ... *by the first telephony server accessing an Internet Protocol (IP) address and a Media Access Control (MAC) address for the second endpoint from a first registration table stored within the first telephony server, and if not contained in the first registration table, from a table stored within the first telephony server*. The table comprises (i) a telephone number of the first endpoint, the second endpoint and a third endpoint, (ii) a number

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associated with the first logical line and a second logical line, (iii) an Internet Protocol (IP) address and Media Access Control (MAC) address of terminal gateways coupled to the endpoints, and (iv) IP and MAC addresses of the first and second telephony servers. The second communication path is similarly established by using information stored within registration tables of the second telephony server, and if not available, using information from another table stored in the first telephony server.

With respect to independent claims 33 and 39, each of these claims is directed to the registration and storage mechanisms described above.

In light of the foregoing, Applicants respectfully request that the Examiner to reconsider the claims as amended and withdraw the outstanding §103(a) rejection. Applicants further request the Examiner to contact the undersigned attorney if additional discussion will facilitate prosecution of the subject application.

Conclusion

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Dated: 8/13/2004

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Susan McFarlane

08/13/2004

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